

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|------------------------------------|---|-----------------------|
| <b>SAMIAM GROUP, LLC</b>           | : |                       |
| <b>Plaintiff</b>                   | : | <b>CIVIL ACTION</b>   |
| <b>v.</b>                          | : | <b>No. 22-cv-2256</b> |
|                                    | : |                       |
| <b>COOPERSBURG ASSOCIATES, INC</b> | : |                       |
| <b>dba COOPERSBURG SPORTS</b>      | : |                       |
| <b>Defendant</b>                   | : |                       |
|                                    | : |                       |

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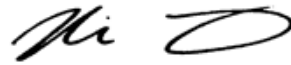
**ORDER**

This 20<sup>th</sup> day of April, 2023, in consideration of the Parties' filings and following oral argument at the final pre-trial conference and conference call, it is hereby **ORDERED** as follows:

1. Plaintiff's Motion *in Limine* to Preclude Defendant from Presenting Irrelevant and Prejudicial Evidence (ECF# 61) is **GRANTED**. Defendant is precluded from using these exhibits during the liability phase of trial.
2. Plaintiff's Motion *in Limine* to Preclude Defendant from Using Hearsay Exhibits as Evidence (ECF #62) is denied in part, granted in part.
  - a. With regard to "Exh. D-6", Plaintiff's Motion is **DENIED**.
  - b. With regard to "Exh. D-21", Plaintiff's Motion is **GRANTED**.
  - c. With regard to "Exh. D-29". Plaintiff's Motion is held under advisement.

- d. With regard to “Exh. D-30”, Plaintiff’s Motion is held under advisement until the conclusion of testimony. Counsel is advised to readdress the issue with the Court prior to closing argument before the jury.
  - e. The remaining requests in the Motion relate to the damages phase of trial and are thus held under advisement until and unless there is a finding of liability.
3. Plaintiff’s Motion *in Limine* for Production of Communications Between Defendant and its Counsel Relating to Infringement (ECF #100) is **DENIED AS MOOT**. Defendant’s Response (ECF #106) explains that all requested documents have been produced.<sup>1</sup>

BY THE COURT:



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Hon. Mia Roberts Perez

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<sup>1</sup> “All of the documents provided by Defendant’s counsel that Defendant reviewed and relied upon in making the decision to continue selling the Beverage Bat in spite of Plaintiff’s allegation of infringement are in the hands of Plaintiff’s counsel” Defendant’s Response at 7.